

REMARKS

Claims 1, 8, 11, and 18 have been amended, and claims 27 and 28 have been added. Accordingly, claims 1-2, 4-14, and 18-28 are currently pending in the application, of which claims 1, 8, 11, and 18 are independent.

Accordingly, Applicant requests reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Applicant's Statement of Interview

On May 28, 2010, a telephonic interview between Examiner Casca and Applicant's representative, Wayne Helge, was conducted. In the interview, the application of the cited art to claims 1, 8, 11, and 18 of the current application was discussed. No agreement was reached.

Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4, 8-14 and 18-26 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2002/0111167 applied for by Nguyen *et al.* ("Nguyen") in view of U.S. Patent No. 6,493,431 issued to Troen-Krasnow, *et al.* ("Troen-Krasnow"). Applicant respectfully traverses this rejection for at least the following reasons.

The cited references do not render the present invention obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of at least independent claims 1, 8, 11, and 18.

Claim 1 has been amended to recite "a messenger service system ...to send a second notification message to a personal computer, the second notification message to provide notification that the called mobile communication terminal is **currently** receiving the incoming message," which is not disclosed in the cited combination of references.

Further, claims 8, 11, and 18 have been similarly amended. Specifically, claim 8 has been amended to recite that “the messenger service system sends a second notification message to a personal computer, the second notification message to provide notification that the called mobile communication terminal is **currently** receiving the incoming message.” Claim 11 has been amended to recite that “the second notification message provides notification that a called mobile communication terminal of the called subscriber is **currently** receiving an incoming message transmitted to a wireless communication system[.]” And, claim 18 has been amended to recite “providing notification to a personal computer corresponding to the IP address that the called mobile communication terminal is **currently** receiving the incoming message.”

For at least the above reasons, the cited references do not render claims 1, 8, 11, and 18 obvious because, even assuming that the cited references may be combined, the combined references fail to disclose or suggest all features of each of the independent claims 1, 8, 11, and 18. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1, 8, 11 and 18.

Claims 2, 4, and 23 depend upon and incorporate the features of independent claim 1; claims 9, 10, and 25 depend upon and incorporate the features of independent claim 8; claims 12-14, 24, and 26 depend upon and incorporate the features of independent claim 11; and claims 19-22 depend upon and incorporate the features of independent claim 18. If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); and MPEP §2143.03. Therefore, it is respectfully requested that these rejections be withdrawn and that claims 2, 4, 9, 10, 12-14, and 19-26 be allowed to issue.

Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Nguyen in view of Troen-Krasnow, further in view of U.S. Patent Application Publication No. 2004/0253975 applied for by Shiraogawa, *et al.* ("Shiraogawa"). Applicant respectfully traverses this rejection for at least the following reasons.

Applicant submits that claim 1 is allowable over Nguyen in view of Troen-Krasnow as set forth above, and Shiraogawa fails to cure the deficiencies noted above with regard to claim 1. If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); and MPEP §2143.03. Hence, claims 5-7 are allowable at least because they depend from an allowable base claim. Thus, it is respectfully requested that these rejections be withdrawn and that claims 5-7 be allowed to issue.

New Claims 27 and 28

New claims 27 and 28 have been added to depend from independent claim 1 and are patentable for at least similar reasons as those described above with respect to claim 1. Further, claims 27 and 28 include features not disclosed in the cited art. Therefore, it is respectfully requested that claims 27 and 28 be allowed to issue.

CONCLUSION

A full and complete response has been made to the pending Office Action, and all of the grounds for rejection have been overcome or rendered moot. Accordingly, all pending claims are allowable, and the application is in condition for allowance.

The Examiner is invited to contact Applicant's undersigned representative at the number below if it would expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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